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Governor

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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 21, 2015

CERTIFIED RETURN RECEIPT
7013 3020 0002 3659 5385

Boris Treyzon
Vladimir Podlipsky
TMC Capital, LLC
9701 Wilshire Boulevard, Suite 1000
Beverly Hills, CA 90212

Subject: Division Directive to Provide a Replacement Reclamation Surety, TME Asphalt Ridge LLC, TME Asphalt Ridge LLC #1 Mine, M/047/0089, Uintah County, Utah

Dear Messrs. Treyzon and Podlipsky:

On August 19, 2014, the Division of Oil, Gas and Mining (Division) approved the transfer of the TME Asphalt Ridge LLC #1 mine from TME Asphalt Ridge LLC to TMC Capital LLC conditional on receipt of a signed reclamation contract and a replacement reclamation surety in the amount of \$275,000.00.

To date, the Division has not received the reclamation surety and contract. The current operator, TME Asphalt Ridge LLC, is no longer registered to do business in Utah, and the site has been inactive for about six years.

The Division directs TMC Capital LLC to provide the reclamation surety by June 1, 2015. If this does not occur, the Division will rescind its approval of the transfer and require reclamation of the site.

Please contact the minerals program bonding coordinator, Penny Berry to obtain the appropriate bond forms and to post the required surety. She can be reached by telephone at 801-538-5291 or by e mail at pennyberry@utah.gov. Please contact April Abate at 801-538-5214 or me at 801-538-5261 if you have questions regarding this letter.

Sincerely,

Paul Baker
Minerals Program Manager

PBB:aa:pb

cc: Leonard Botheilho, Ames Construction, LennieBoteilho@amesco.com w/o Encl.
William Messerli, 100 South 5th Street, Ste. 1400, Minneapolis, MN 565402 w/o Encl.
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